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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,065	11/08/2001	Anthony Edward Martinez	AUS920011006US1	6194

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EXAMINER

HOSSAIN, FARZANA E

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/007,065	Applicant(s) MARTINEZ ET AL.	
	Examiner Farzana E. Hossain	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-12,16-21 is/are rejected.
- 7) ☒ Claim(s) 3-5,13-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-31-02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 11, 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Harrison et al (US 6,249,914 and hereafter referred to as "Harrison").

Regarding Claims 1 and 11, Harrison discloses a method for providing a plurality of individual display presentations based upon a data stream from a server, a medium containing machine readable code, the code being selectively readable to provide program signals for executing a method for providing a plurality of individual display presentations based upon a data stream from a server (Figure 10A, Figure 11A), the method comprising: receiving the data stream by a control device (Figure 10A, 35, Figure 11A, 35) from the server (Figure 10A, 35, Media, Figure 11A, 35, Media); processing the data stream to provide a presentation output (Figure 10A, 38, Figure 11A, 38); transmitting the presentation output to a series of wireless control units (Figure 10A, 102, 200, Figure 11A, 102), each of the wireless control units including a

display means (Figure 7, 208); and applying the presentation output to each of the display means to provide the plurality of individual display presentations (Column 10, lines 48-67, Column 11, lines 1-40). Harrison discloses a medium containing machine-readable code, the code readable to provide program signal for executing a plurality of presentations (Figure 10A, Figure 11A, Media, Figure 1, Column 4, lines 51-60).

Regarding Claim 21, Harrison discloses a system for providing a plurality of individual display presentations based upon a data stream from a server (Figures 10A, 11A), the method comprising: a control device arranged for receiving the data stream from the server (Figure 10A, 35, Figure 11, 35), the control device including a series of wireless control units (Figure 10A, 200, Figure 11A); means for processing the data stream to provide a presentation output (Figure 10A, 38, Figure 11, 38); means for transmitting the presentation output to the series of wireless control units (Figure 10A, 102, 200, Figure 11, 102), each of the wireless control units including a display means (Figure 7, 208); and means for applying the presentation output to each of the display means to provide the plurality of individual display presentations (Column 10, lines 48-67, Column 11, lines 1-40).

Regarding Claims 6 and 16, Harrison discloses all the limitations of Claims 1 and 11 respectively. Harrison disclose that data stream is related to an event being viewed by a user (Figure 10A, 42, Figure 11A, 42) of one of the wireless control units (Figure 10A, 200, Figure 11A), providing a series of links for display on the display means of the control unit (Column 9, lines 43-67); enabling a selection of at least one of the links by the user (Column 9, lines 13-42, Figure 7, 208); providing a display of information

related to the select link on the display mean of the control unit (Column 9, lines 13-42, Figure 7, 208).

Regarding Claims 8 and 18, Harrison discloses all the limitations of Claims 1 and 11 respectively. Harrison discloses that the control device includes an infrared receiver (Column 16, lines 33-42, lines 60-67, Column 17, lines 1-7), the method including receiving channel selection signals by the control device from a wireless remote control device (Column 16, lines 33-42, lines 60-67, Column 17, lines 1-7).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison in view of Johnson (US 2002/0010941).

Regarding Claims 2 and 12, Harrison discloses all the limitations of Claims 1 and 11 respectively. Harrison is silent on mounting the wireless control units in reception of the control device. Johnson discloses mounting a wireless control unit in a receptacle of the control device (Figure 1, 22, 10, Figure 1A, 22, 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Harrison to include mounting a wireless control unit in a receptacle of

the control device (Figure 1, 22, 10, Figure 1A, 22, 10) as taught by Johnson in order to allow consumers to access relevant data to data in a more efficient manner (Page 1, paragraphs 0008-0010) as disclosed by Johnson.

5. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison in view of Marcis et al (US 6,862,611 and hereafter referred to as "Marcis").

Regarding Claim 7 and 17, Harrison discloses all the limitations of Claims 6 and 16 respectively. Harrison is silent on touch sensitive display screens. Marcis discloses a system with a computer display (Figure 2, 42) with an Internet connection (Column 4, lines 45-56) and TV display (Figure 2, 40) with a signal source (Figure 2, 24). Marcis discloses display means comprise touch-sensitive display screens by which users are enabled to make selections by applying pressure to selected display screen areas or having a touch screen capability (Column 6, lines 39-45, Figure 2, 36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Harrison to include that the display means comprise touch-sensitive display screens by which users are enabled to make selections by applying pressure to selected display screen areas or having a touch screen capability (Column 6, lines 39-45, Figure 2, 36) as taught by Marcis in order to allow consumers to access relevant data to broadcast programming in a more efficient manner and to integrate programming with the Internet (Column 1, lines 13-18, lines 51-53) as disclosed by Marcis.

6. Claims 2, 9, 10, 12, 19, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison in view of Sampsell (US 2002/0057209).

Regarding Claims 2 and 12, Harrison discloses all the limitations of Claims 1 and 11 respectively. Harrison is silent on mounting the wireless control units in reception of the control device. Sampsell discloses mounting a wireless control unit in a receptacle of the control device (Figure 2, 202). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Harrison to include mounting a wireless control unit in a receptacle of the control device (Figure 2, 202) as taught by Sampsell in order to allow consumers to watch two different image displays on two separate devices (Page 1-2, paragraphs 0012-0013) as disclosed by Sampsell.

Regarding Claim 9 and 19, Harrison discloses all the limitations of Claims 1 and 11 respectively. Harrison discloses that the control device control the display of the wireless control units (Figure 10A, 35). Harrison does not explicitly disclose that the control device includes a display button. Sampsell discloses that control device or docking station includes control buttons that controls the display or power buttons on the docking station to control the display (Page 7, paragraph 0072), so that the docking station can send image signals to the wireless control unit (Pages 6-7, paragraph 0070). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Harrison to include control device includes a display button, the display button selectively operable for controlling displays on the display means of the wireless control unit (Pages 6-7, paragraphs 0070, 0070) as taught by

Sampsell in order to allow consumers to watch two different image displays on two separate devices (Page 1-2, paragraphs 0012-0013) as disclosed by Sampsell.

Regarding Claim 10 and 20, Harrison discloses all the limitations of Claims 1 and 11 respectively. Harrison is silent on charging means for charging wireless control units. Sampsell discloses a display remote that is configured to communicate with the TV program (Figures 1, 2, 3). Sampsell discloses that the control device, which includes charging means or a docking station, which includes charging means (Page 6, paragraphs 0069) when the wireless control units are mounted on the control device (Figure 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Harrison to include the control device with charging means (Page 6, paragraphs 0069) when the wireless control units are mounted on the control device (Figure 8) as taught by Sampsell in order to allow consumers to watch two different image displays on two separate devices (Page 1-2, paragraphs 0012-0013) as disclosed by Sampsell.

7. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison in view of Skinner et al (US 2002/0177473 and hereafter referred to as "Skinner").

Regarding Claim 10 and 20, Harrison discloses all the limitations of Claims 1 and 11 respectively. Harrison is silent on charging means for charging wireless control units. Skinner discloses a handheld computer that is configured to communicate with the Internet (Page 2, paragraph 0015). Skinner discloses that the control device, which

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includes charging means or a cradle, coupled to a personal computer, which includes charging means (Figure 2, 130, Page 2, paragraphs 0020, 0023) when the wireless control units are mounted on the control device (Page 2, paragraph 0024). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Harrison to include the control device with charging means (Figure 2, 130, Page 2, paragraphs 0020, 0023) when the wireless control units are mounted on the control device (Page 2, paragraph 0024) as taught by Skinner in order to allow consumers to maintain radio frequency operations while charging the handheld computer battery (Page 1, paragraph 0004) as disclosed by Skinner.

Allowable Subject Matter

8. Claim 3-5, 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Harrison discloses a system and method for receiving the data stream by a control device (Figure 10A, 35, Figure 11A, 35) from the server (Figure 10A, 35, Media, Figure 11A, 35, Media); processing the data stream to provide a presentation output (Figure 10A, 38, Figure 11A, 38); transmitting the presentation output to a series of wireless control units (Figure 10A, 102, 200, Figure 11A, 102), each of the wireless

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control units including a display means (Figure 7, 208); and applying the presentation output to each of the display means to provide the plurality of individual display presentations (Column 10, lines 48-67, Column 11, lines 1-40). Johnson and Skinner disclose mounting the wireless control units (Figure 1, Figure 1A – Johnson, Figure 2-Skinner).

The prior art of record does not suggest nor teach the following limitations (or similar limitations) in conjunction with other elements as claimed in the rejected independent claims: Multiple wireless control units in receptacle and front most control unit is viewable by the user.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Walker et al (US and hereafter referred to as "Walker"), Mitchell (US 2002/0162120).

Walker discloses a system and method with the user have two separate displays including a computer and a television (TV); the TV receiving data or a TV program from a television station and the computer receiving supplemental data that is synchronized to the program received by the TV (Figure 1).


Mitchell discloses a display remote that displays supplemental content (Figure 2) and can connect to the Internet (Figure 5); the display remote has display and control buttons (Figure 2); and can be charged in a charging unit (Page 5, paragraph 0054).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FEH
December 20, 2005


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